

REMARKS

In response to the Office Action mailed February 25, 2004, the above-identified patent application has been amended to place it in form for allowance.

Allowability of the subject matter of claims 2-10, 12-24, and 26-29 is noted.

Claim 23 and 29 were rejected under 35 U.S.C. §112 as lacking proper antecedent basis for "said body." Claim 23 and 29 have been amended to correct the term to read --said back member--, removing the informality noted by the Examiner, and should now therefore be in form for allowance.

Claim 11 was rejected under 35 U.S.C. §103(a) as unpatentable over Frey. Frey depicts a belt clip attached to a "side arm sheath," or holster. The Examiner states that the portion of the clip with slot (f) of Frey is considered to define the back member of the body; however, nothing in Frey indicates that the Frey clip is a portion of the back member of the body of the holster. Instead, Frey specifies that the clip is a narrow plate of metal which is bent upon itself and then secured to the receptacle. The slot (f) of Frey is made only through the fixed end of the clip, not through the receptacle or back member of the holster. In contrast, claim 11 recites that the receptacle (for the hook) "includes an opening extending through said back member" and that "a portion of the hook including said catch

extends through the back member by way of said opening." Since Frey does not show an opening through the back member, claim 11 is not suggested by Frey, and claim 11 should therefore be allowed.

The Examiner objected to claim 12 as being dependent from a rejected base claim. Claim 12 depends from claim 11 and should therefore be found allowable for the same reasons as set forth above with respect to claim 11.

Claim 25 was rejected as obvious over Yamada in view of either Goto or Kamiya.

The Examiner states that Yamada discloses ears, while both Goto and Kamiya disclose tool access openings. Claim 25 as amended herein specifies that what is claimed is a carrier for an article comprising in part, "a pair of side members, each including a laterally outwardly projecting ear."

The Examiner states that Yamada teaches outwardly projecting ears extending from each side member, but notes that the extensions are in a direction away from the back member and out from the side members to define outwardly projecting ears. However, as disclosed in Yamada, these extensions are more analogous in function to the grip members 42 and 44 disclosed by applicant than the laterally outwardly extending ears defined by claim 25 as herein amended. The extensions of the sides in Yamada are designed to help hold the article in the carrier,

present application at 66 and 68 are located on the exterior of the carrier to aid in holding the carrier while removing the article. Since Yamada does not suggest such laterally outwardly projecting ears, it is submitted that claim 25 is directed to patentable subject matter and should be allowed.

In view of the foregoing amendments and remarks, it is submitted that claims 2-20 and 22-29, all of the claims remaining in the application, are now in form for allowance. Accordingly, the Examiner is requested to reexamine the application, to allow all of the remaining claims, and to pass the application on promptly to issue.

Respectfully submitted,



Donald B. Haslett
Reg. No. 28,855
Of Attorneys for Applicant
Tel: (503) 227-5631

Q:\Jennifer\wpdocs\DBH\LEATHERM\0756714\Amendment 040430.frm:5/24/4:3:36